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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,459	01/19/2001	Jieh-Shan Wang	BEU/VONE/WANG	6116

7590 05/20/2004  
BACON & THOMAS, PLLC  
625 Slaters Lane - 4th Floor  
Alexandria, VA 22314-1176

EXAMINER
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TRAN, TONGOC

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 05/20/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

104

# Office Action Summary

Application No.

09/764,459

Applicant(s)

WANG, JIEH-SHAN

Examiner

Tongoc Tran

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This office action is in response to applicant's application serial no. 09/464,459 filed on 1/19/2001.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 1/19/2001 has been considered by the examiner.

#### ***Claim Objections***

3. Claims 5 and 6 are objected to because of the following informalities:  
  
Both claim 5 and 6 are method claims that are further limiting system claim 3.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curtis (U.S. Patent No. 6,023,764) in view of Nakai et al. (U.S. Patent No. 6,253,248, hereinafter Nakai).

In respect to claim 1, Curtis discloses a system for establishing secured communications pathways across an open unsecured network using mobile code, comprising:

an authentication server; at least one platform-independent mobile code authentication and encryption program (see col. 6, line 64-col. 7, line 8),

wherein said authentication server is arranged to supply said platform-independent mobile code authentication and encryption program to a user's computing device upon authentication of the user (see col. 6, line 64-col. 7, line 8),

wherein said platform-independent authentication and encryption program is arranged to authenticate itself to the authentication server to establish a secure communications pathway without requiring pre-installation of authentication and encryption client software on the user's computing, and wherein said platform-independent mobile code authentication and encryption program is arranged to transmit data from the user's computing device to an application server by encrypting the data and transmitting the data to the authentication server for forwarding to the application server, and by decrypting data originating from the application server and transmitted via the authentication server (col. 7, lines 9-42).

Curtis does not disclose but Nakai discloses the authentication server is a proxy server between the client and an application server (see Nakai, Abstract and col. 13, lines 24-43). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the

teaching of Curtis' secure link between the authentication server and the client to incorporate the teaching of Nakai's authentication server communicating between a client and an application server in order to limit direct firewall accesses from end user's computers and to promote security management (col. 1, lines 27-30).

In respect to claim 2, Curtis and Nakai disclose a system as claimed in claim 1, wherein said platform independent mobile code authentication and encryption program is an applet (see Curtis, col. 7, lines 9-23).

In respect to claim 3, Curtis and Nakai disclose a system as claimed in claim 1, wherein said user's computing device is selected from the group consisting of a thin-client computing device and a mobile computing device having an installed communications program, but no pre-installed authentication certificates or authentication and encryption software (see Curtis, col. 5, lines 3-15).

In respect to claim 4, the claim limitation is a method claim that is substantially similar to the system claim 1. Therefore, claim 4 is rejected based on the similar rationale.

In respect to claim 5, Curtis and Nakai disclose a method as claimed in claim 3, wherein the authentication information requested from the user is a password (see Nakai, col. 13, lines 35-43).

In respect to claim 6, Curtis and Nakai discloses a method as claimed in claim 3, wherein the steps of authenticating the authentication and encryption client, and of opening a secure communications channel include the step of

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developing a session key for use in encrypting communications between the user's computing device and the authentication server (see Curtis, col. 7, lines 35-42).

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Ramasubramani discloses a centralized certificate management system for two way interactive communication devices in data networks.

-Lloyd et al. Disclose a centralized authentication, authorization and accounting server with support for multiple transport protocols and multiple client types.

-Bowman-Amuah discloses a processing pipeline in a base services pattern environment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tongoc Tran whose telephone number is (703) 305-7690. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner: Tongoc Tran  
Art Unit: 2134

TT

May 15, 2004

*Matthew L. Smithers*  
MATTHEW SMITHERS  
PRIMARY EXAMINER  
*Art Unit 2137*